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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 U.S. EQUAL EMPLOYMENT
13 OPPORTUNITY COMMISSION,

14 Plaintiff,

15 vs.

16 TESLA, INC.,

17 Defendant.
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Case No. 3:23-cv-04984-JSC

**DECLARATION OF TIFFANY HART IN
SUPPORT OF DEFENDANT TESLA, INC.'S
MOTION TO STAY ALL PROCEEDINGS IN
LIGHT OF LONG-RUNNING, CURRENTLY
PENDING AND VIRTUALLY IDENTICAL
STATE COURT LITIGATION**

Hearing Date: February 1, 2024
Time: 10:00 AM
Judge: Hon. Jacqueline Scott Corley
Courtroom: 8

Complaint Filed: September 28, 2023

*[Defendant's Notice of Motion and Motion;
Declarations of Sara A. Begley, Thomas E.
Hill, and Jessica Quon-Vail; Request for
Judicial Notice; Exhibits in Support of Motion;
and Proposed Order, All Filed Concurrently
Herewith]*

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DECLARATION OF TIFFANY HART

I, Tiffany Hart, declare as follows:

1. I am a Senior ER (Employee Relations) Partner at Tesla, Inc. (“Tesla”). I have been employed by Tesla since 2014. I have personal knowledge of the matters set forth herein, except where otherwise stated, and I could and would testify competently thereto, if called upon to do so. I submit this declaration in support of Tesla’s motion to stay all proceedings in the above-captioned matter.

2. As a Senior ER Partner with Tesla, I am familiar with Tesla’s employment and hiring policies, including its anti-harassment and non-discrimination policies. I also have access to and am familiar with Tesla’s Human Resources (HR) applications, databases, and business records, from which I am able to access compensation records and other employment data.

3. Since 2008, Tesla’s business has included manufacturing electric automobiles, and Tesla is now the world’s leading electric car company. In 2010, Tesla opened a large automobile manufacturing facility at 45500 Fremont Boulevard, Fremont, California (the “Factory”). In 2016, Tesla had more than 6,000 workers at the Factory. By 2022, that figure had grown to 22,000 workers. Tesla has made significant investments in the Factory since its opening, and the Factory is the last remaining auto manufacturing facility in California.

4. Year after year since 2010, Tesla has created more full-time manufacturing jobs for workers in California than any other in-state manufacturer. In so doing, Tesla has created thousands of jobs for people from diverse backgrounds and historically disadvantaged groups, including many who lack a college degree and/or prior work experience, or who have a criminal conviction. Tesla pays wages to workers at the Factory that exceed California’s average wage for manufacturing employees by a wide margin.

5. Tesla has a diverse and inclusive workforce in which a majority of its U.S. workers identify as minorities. As such, Tesla has long prohibited harassment and discrimination as a matter of company policy, and maintained robust, written anti-harassment and non-discrimination policies. True and correct copies of just some of those policies in force at Tesla and the Factory since 2011 are

1 attached as **Exhibit E** to Defendant's Exhibits in Support of Motion to Stay All Proceedings in the
2 above-captioned action.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct.

5 Executed this 13 day of December 2023, at Lathrop, California.

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7 *Tiffany Hart*
Tiffany Hart (Dec 13, 2023 14:00 PST)

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